

SPECIAL MINIMUM BUILDING LINE INSTRUCTIONS

The requirements for the establishment of special minimum building line are found in Section 42-163 of the Code of Ordinances, City of Houston. Attached are samples of the **Special Minimum Building Line (SMBL) Application**, a **Calculation** used by City Staff to determine the SMBL, a **Petition**, an **Evidence of Support**, a **Deed Restriction Statement**, a **Map/Sketch Form**, and a **Notification Sign**.

A completed application package shall include the information listed under item **4. SUBMITTAL REQUIREMENTS (on application form)**. This package must be hand-delivered or mailed to 611 Walker, 6th Floor, Planning and Development Department, Neighborhood Planning and Development Services Division, M-F, 8-5pm, except on city holidays. **Once an application is submitted, no additional signatures may be added as evidence of support.**

Planning and Development will review application for completeness. If any information is missing or incorrect, the applicant will be notified and offered an opportunity to submit the requested information. Within ten (10) days of receipt of the completed application package, the Director of the Planning and Development Department will notify in writing the property owners within the proposed SMBL Requirement Area that an application has been received. The applicant shall also provide notice by posting signs within the SMBL boundary area. Any owner of property wishing to protest against the establishment of the SMBL application will have up to thirty (30) days from the date of the notice letter to file a written protest with the Planning and Development Department.

If the application meets all the criteria, there is no written protest, and the supporting petition is signed by owners of 51% or more of the proposed area, the Planning Department Director will approve the application, and forward to City Council for final approval.

The Director will promptly refer those applications that are protested, do not meet all of the relevant criteria, or have insufficient support, to the Planning Commission for a hearing within thirty (30) days of the referral. The Planning Commission shall conduct a public hearing during a regularly scheduled Commission meeting. Written notice shall be given to each property owner within the proposed SMBL Requirement Area of the pending public hearing.

The public may present comments in person or in writing at the public hearing. At the end of the public hearing, the Commission shall consider whether to recommend that the City Council establish the SMBL Requirement Area. If the Commission decides to recommend that the City Council establish the SMBL Requirement Area, the Director shall take the appropriate steps to refer the application to the City Council. Should the Commission deny the SMBL Requirement Area application, the decision of the Commission shall be final.

TO CONTACT US:

Location

City of Houston
Planning and Development Department
Development & Neighborhood Services
611 Walker Street, Sixth Floor

Mailing Address

City of Houston
Planning and Development Department
Development & Neighborhood Services
P.O. Box 1562
Houston, Texas 77251-1562

Telephone:

(713) 837-7880

Fax:

(713) 837-7923

Web Site:

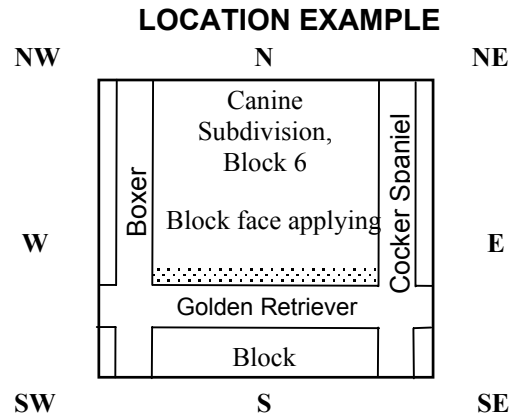
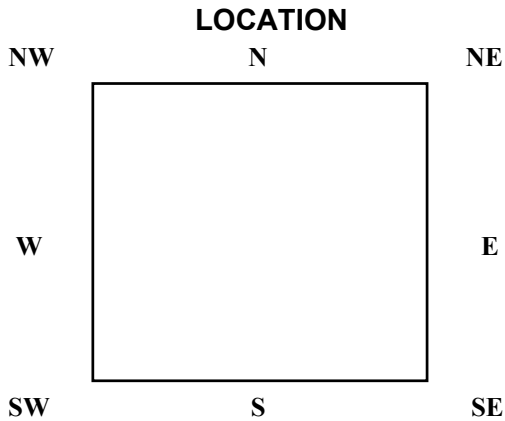
<http://www.houstontx.gov/planning/index.html>

E-mail:

neighborhoodtools@cityofhouston.net

SPECIAL MINIMUM BUILDING LINE APPLICATION

To expedite this application, please complete entire application form.



1. BOUNDARY:

Block # _____
 Lot #'s _____
 Subdivision Name _____
 Street Name & Side (s) _____
 Lot (s) Address _____
 Odd/Even Addresses _____

BOUNDARY EXAMPLE:

Block 6 _____
 Lots 1-5 _____
 Canine Subdivision _____
 North side of Golden Retriever Ln. _____
 800 Block Golden Retriever Ln. _____
 Odd Addresses _____

2. CONTACTS:

Applicant	_____	Phone #	_____
Address	_____	E-mail	_____
City	_____	Fax #	_____
		State	_____
		Zip	_____
Other	_____	Phone #	_____
Address	_____	E-mail	_____
City	_____	Fax #	_____
		State	_____
		Zip	_____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File #	_____	Census Tract	_____
Lambert #	_____	City Council District	_____
Key Map #	_____		
Super Neighborhood	_____		
TIRZ	_____		

SPECIAL MINIMUM BUILDING LINE APPLICATION

4. SUBMITTAL REQUIREMENTS:	Please Check
• Completed application form (page 2)	<input type="checkbox"/>
• Signed petition (s) (page 5)	<input type="checkbox"/>
• Evidence of support from the property owners within the boundary (page 6)	<input type="checkbox"/>
• Signed deed restriction statement (page 8)	<input type="checkbox"/>
• Copy of deed restrictions, if applicable (page 8)	<input type="checkbox"/>
• Map or sketch showing the address and land use, including of all lots within boundary from www.hcad.org (page 9)	<input type="checkbox"/>
• Data showing the distance from the front property line to each building (page 9)	<input type="checkbox"/>
• Provide at least one lot survey per block face under consideration; if available, please submit more than one survey	<input type="checkbox"/>

SAMPLE CALCULATION

These calculations are done by Planning and Development Staff and do not need to be performed by the applicant.

Special Minimum Building Line

Building Line Rank	Address	B.L. in feet	Building Line Calculation	
1	1611 Dachshund	23	Total number of improved lots	7
2	1603 Dachshund	20		
3	1613 Dachshund	18	Multiplied by 0.7 (70%)	x 0.7
4	1607 Dachshund	18	Equals	4.9
5	1609 Dachshund	18		
6	1601 Dachshund	15	Rounds up to building rank #	5
7	1605 Dachshund	13		
The fifth largest building line in this example is 18 feet. This would be the new Special Minimum Building Line for this street.				

The City calculates the special minimum building line by using the following steps:

- 1) Listing the building lines in order of largest to smallest;
- 2) Ranking the building lines assigning the number 1 to the largest building line, the number 2 to the second largest, etc;
- 3) Multiplying the number of single-family improved lots (building line rank) by .7 (70 percent) or .6 (60 percent for applications in city designated historic districts), to obtain the building rank number of the special minimum building line (if necessary, round up);
- 4) Using the list from step 2, match the building rank number result from step 3 with the corresponding building line; and
- 5) This building line is the special minimum building line.

PETITION SAMPLE

(Date)

I, (name of petitioner), owner of property within the proposed boundaries of the Special Minimum Building Line Requirement Area, specifically, Block (xx), Lot (yy), of (name of subdivision), do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-163. With this petition and other required information, I request to preserve the character of the existing building lines for Block (xx), Lot(s) (yy) in (name of subdivision) through the application of and creation of a Special Minimum Building Line Requirement Area.

(Signature of petitioner)

(Printed name of petitioner)

Petitioner

EVIDENCE OF SUPPORT SAMPLE

Listed below is evidence by the owners of property within the proposed boundaries of the Special Minimum Building Line Requirement Area, or their authorized agent, who support the request to preserve the character of the existing building line setbacks for Blocks xx, Lot(s) xx in (name of subdivision) through the application and creation of a special minimum building line.

- A special minimum building line is determined by finding the current constructed building line that represents a minimum standard for at least 70% of the structures in the proposed area (60% in city designated historic districts). The application data identifies building setbacks ranging from _____ to _____ feet. The Planning and Development Department will perform the calculations to determine the Special Minimum Building Line.

The special minimum building line shall be enacted by City Council through the adoption of an ordinance.

By signing this evidence of support, I hereby represent: (1) that I am the owner or the owner's authorized agent of the property with respect to which I have affixed my signature, and (2) I support the petition of (name of petitioner) to create a Special Minimum Building Line Requirement Area for Block (xx), Lots (yy) in (name of subdivision).

1) Print Name:	Address:	
Signature: X	Date:	Telephone:

2) Print Name:	Address:	
Signature: X	Date:	Telephone:

3) Print Name:	Address:	
Signature: X	Date:	Telephone:

4) Print Name:	Address:	
Signature: X	Date:	Telephone:

**EVIDENCE OF SUPPORT
SAMPLE (cont.)**

5) Print Name:	Address:	
Signature: X	Date:	Telephone:

6) Print Name:	Address:	
Signature: X	Date:	Telephone:

7) Print Name:	Address:	
Signature: X	Date:	Telephone:

8) Print Name:	Address:	
Signature: X	Date:	Telephone:

9) Print Name:	Address:	
Signature: X	Date:	Telephone:

10) Print Name:	Address:	
Signature: X	Date:	Telephone:

11) Print Name:	Address:	
Signature: X	Date:	Telephone:

SPECIAL MINIMUM BUILDING LINE DEED RESTRICTION STATEMENT

I have personal knowledge of the facts set forth in this deed restriction statement, each of which is true and correct.

Initial (1), (2), or (3) as applicable:

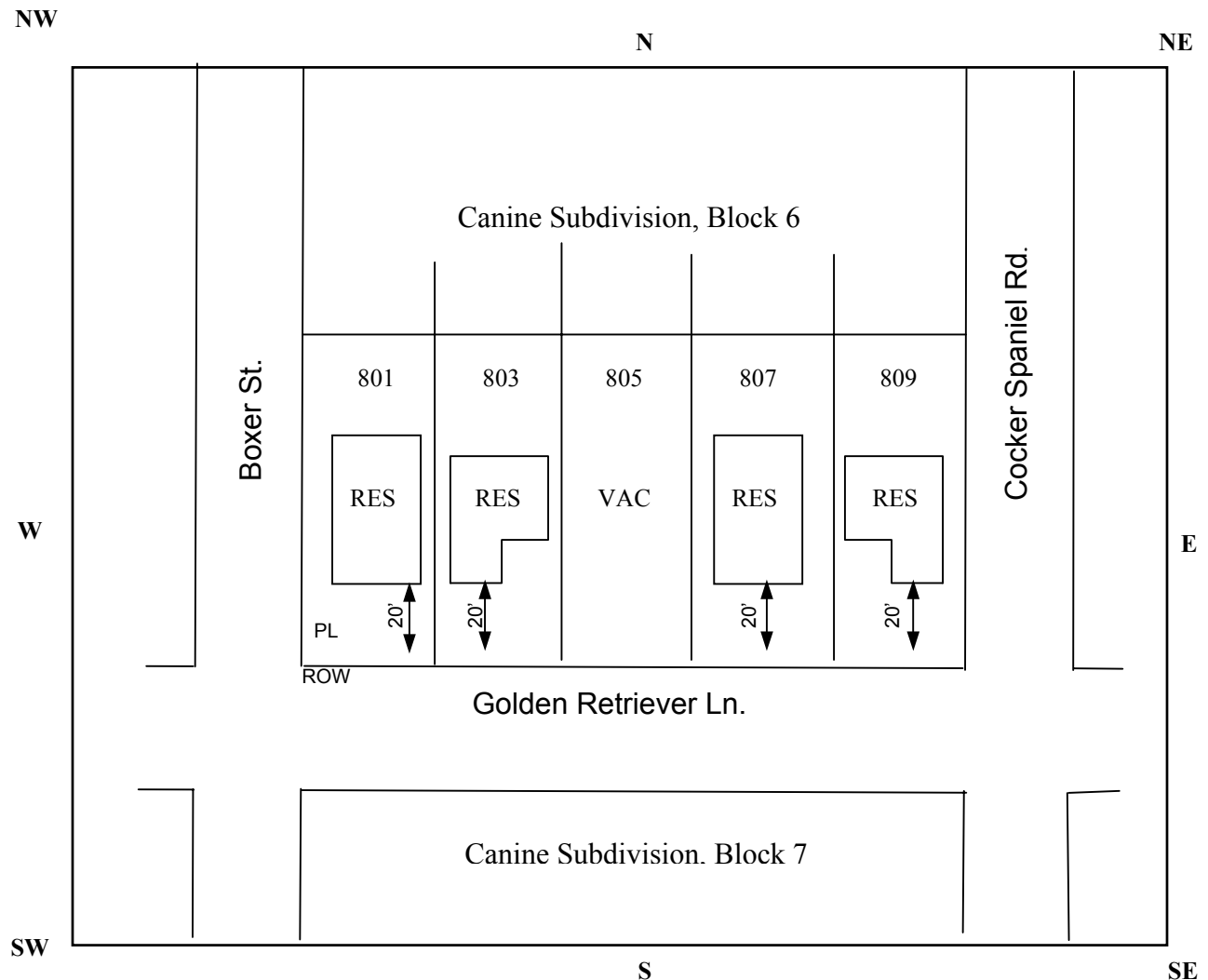
1. _____ All properties in the proposed Special Minimum Building Line Area do not have deed restrictions.
2. _____ All of the properties have deed restrictions; however, the deed restrictions do not address minimum building line (attach copy of Deed Restrictions).
3. _____ Some, but not all, of the properties have deed restrictions (attach copy of Deed Restrictions).

Applicant's Signature

Date

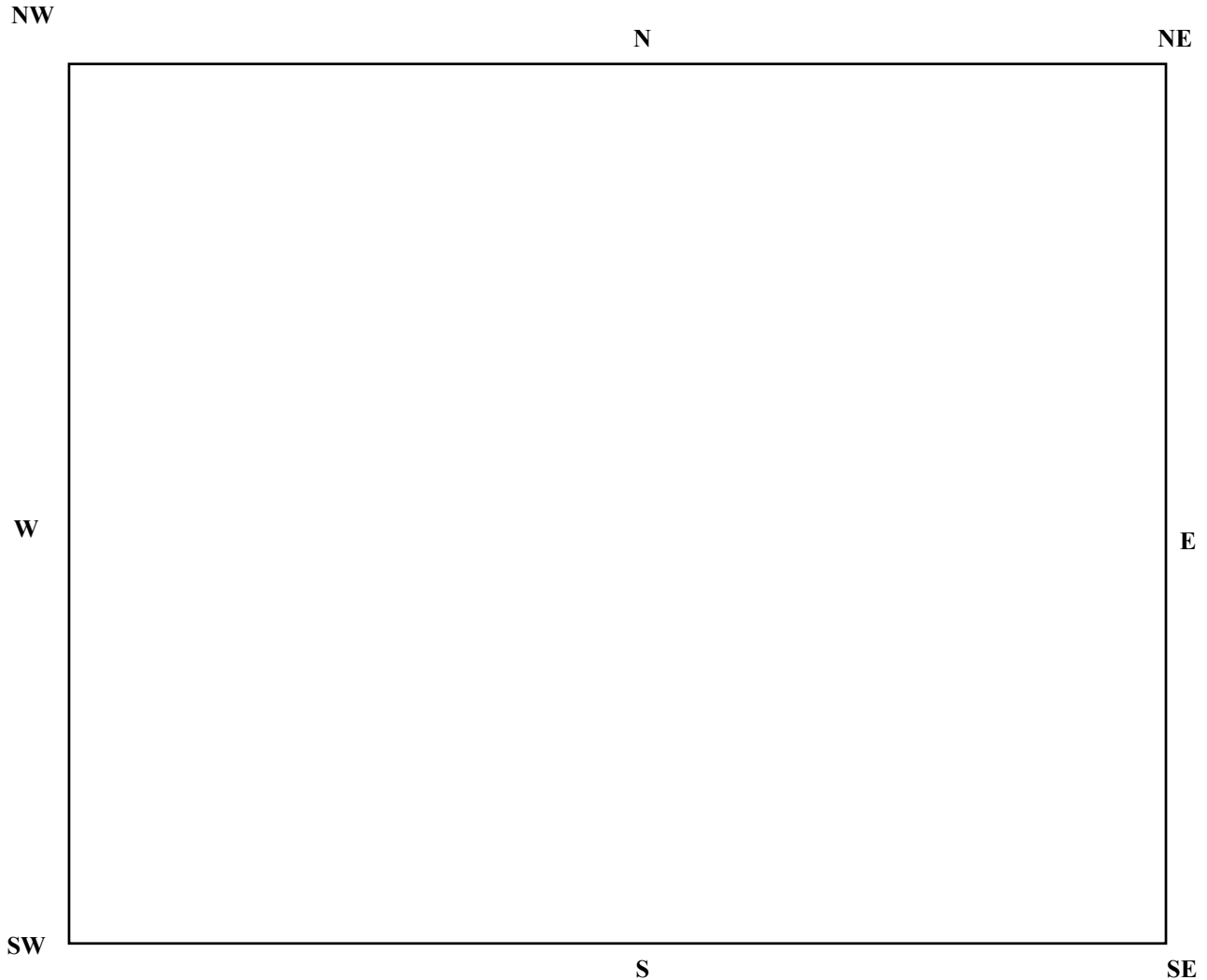
Applicant's Printed Name

Address

MAP/SKETCH SAMPLE

Map/sketch should look similar to the drawing shown above. Please provide the address and land use for all lots within the proposed Special Minimum Building Line Requirement Area.

Information for each lot within the proposed Special Minimum Building Line Requirement Area shall be shown on the drawing that includes the distance from the front property line to each building on the lot and each lot's physical address number. If there is not enough room to include all the blockfaces and information, additional MAP/SKETCH sheets may be added to the application.

MAP/SKETCH FORM

Map/sketch should look similar to the drawing shown on the Sample. Please provide the address and land use for all lots within the proposed Special Minimum Building Line Requirement Area.

Information for each lot within the proposed Special Minimum Building Line Requirement Area shall be shown on the drawing that includes the distance from the front property line to each building on the lot and each lot's physical address number. If there is not enough room to include all the blockfaces and information, additional MAP/SKETCH sheets may be added to the application.

Sample Notification Sign

The **applicant is responsible for obtaining and posting (2) signs** within the boundary of the proposed Special Minimum Building Line Requirement Area **within ten (10) days of a complete application**. The Planning and Development Department will inform the applicant of a completed application to post signs (see Sample Notification Sign below). The signs (minimum size: 2' x 3') shall be placed within **fifteen feet from each right-of-way** bordering the area. Each sign shall face the R-O-W with print large enough to be legible from the R-O-W. The applicant is responsible for contacting Planning Staff once the signs are in place. The applicant shall use reasonable efforts to maintain the signs to the end of the process.

